

REMARKS

Claims 1-34 are pending in this application. Claim 11 has been amended while Claims 1-10 and 12-34 remain unchanged. No new subject matter is believed to have been added by this Amendment.

The Examiner has allowed claims 1-10, 12 and 15-34. However, claims 11, 13 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by the teaching of United States Patent No. 4,375,345 to Hanson (the Hanson patent). The Hanson patent is directed to a clamping arm assembly for a backhoe wherein, as illustrated in Figure 5, a hydraulic cylinder (arm fluid actuator) 48 is connected to a clamping arm 32 by an arm actuator pivot 50 at one end. At the other end, the hydraulic cylinder 48 is connected to a pivot pin 46 of an arm link 40. The arm link 40 is secured to the dipper arm 12 of the tool. However, the hydraulic cylinder 48 is generally spaced from the clamping arm 32 and the clamping arm 32 affords no protection to the hydraulic cylinder 48 while in operation. The hydraulic cylinder 48 is enclosed by the side portions of the clamping arm 32 only when the clamping arm 32 is in its inactive position as illustrated in Figure 6. The subject invention, on the other hand, as illustrated in Figures 1-3 of the subject application and as discussed on page 6, line 26-37 of the application, includes a claw tine body wherein a hydraulic cylinder 16 is positioned generally within the claw tine body and the claw tine body encloses and laterally protects the hydraulic cylinder. As is apparent from an inspection of Figures 1 and 2, the hydraulic cylinder 16 is enclosed and laterally protected by the claw tine body throughout the entire range of motion of the claw tine body. This feature is important during demolition operations because material processed by the demolition equipment may damage or break an exposed hydraulic cylinder.

Independent claim 11 has been amended to specify that the hydraulic cylinder is enclosed and laterally protected by the claw tine body throughout the angular rotation of the claw time body from the open position to the closed position. This feature is neither taught nor suggested by the Hanson patent or the other prior art of record.

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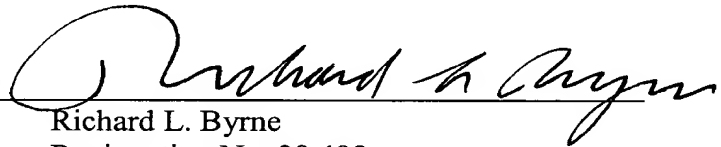
Claim 11, as amended, is now believed to be patentably distinct over the teaching of the Hanson patent and, furthermore, over the teaching of the other prior art of record. By way of their dependence by what is believed to be patentably distinct independent claim 11, dependent claims 13 and 14 are themselves believed to be patentably distinct.

Reconsideration of claims 11, 13 and 14 and allowance of these claims along with the maintenance of the remaining claims 1-10, 12 and 15-34 are respectfully requested.

Respectfully submitted,

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